

REMARKS

Entry of the foregoing, reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested in light of the remarks which follow.

As set forth in the Office Action Summary, claims 1-3, 5, 6, 10-15, 18, 24, and 25 are pending in the present application. Claims 7, 16, 17, and 19-23 have been withdrawn from consideration. Claims 4, 8, and 9 have been canceled.

Objections to the Specification

The Examiner has objected to the specification for containing an embedded hyperlink.

The specification has been amended to remove the hyperlink. Accordingly, Applicants respectfully request reconsideration and withdrawal of this objection.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 1-3, 6, 10-15, 18, 24 and 25 have been rejected under 35 U.S.C. § 112, first paragraph, as purportedly lacking enablement.

Specifically, the Examiner stated that anti-ligand molecules within the scope of the claims are expressed not only on tumor cells but also on non-tumor cells. The Examiner further stated that the current specification does not describe how to prevent the viral particle from infecting normal cells. Thus, the Examiner concluded that the present claims are not enabled by the present specification such that one of skill in the art would be able to make or use a poxviral particle having targeted infection specificity towards target cells.

Applicants respectfully traverse this rejection for at least the following reasons.

Applicants submit that the claims do not recite that the viral particle is prevented from infecting normal cells. Rather, the claims recite a "poxviral particle having a targeted infection specificity towards target cells." As set forth at page 6 of the present specification, "a targeted infection specificity . . . towards target cells" means that the poxviral particle of the present invention is engineered to infect target cells more efficiently or more rapidly than non-target cells. As also noted at page 6,

the improved infection specificity of the modified poxvirus particle can be readily determined by comparing the infection specificity of the modified poxvirus particle with the infection specificity of the related non-modified poxvirus particle. Thus, claims 1-3, 6, 10-15, 18, 24 and 25 are fully enabled by the specification, as undue experimentation would not be required to make and use the invention.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

CONCLUSION

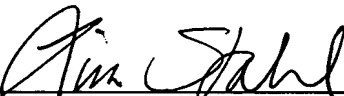
It is respectfully submitted that all rejections have been overcome by the above amendments. Thus, Notice of Allowance is respectfully requested.

In the event that there are any questions relating to this paper, or the application in general, the Examiner is respectfully urged to telephone Applicants' undersigned representative so that prosecution of this application may be expedited.

Respectfully submitted,

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